

1895-016 Chancery Causes: William Goins vs. Hannah T. Harber
Lee Co

Thompson, Flenor

CA-Debt
T-Property

-Deed

To the Honorable W. T. Miller, Judge of the Circuit Court of Lee County, Virginia:-

Humbly complaining, your orator, William Goins, would respectfully represent and shew unto your honor that on the 6th day of August 1894, he obtained before C. C. Blankenship, a Justice of the Peace, in and for the County aforesaid, a *judgment* against Hannah Harber for the sum of \$9.55 and \$3.30 for costs with interest on the said \$9.55 from the 6th day of August 1894, till paid. Your orator would further represent that an execution was duly issued and placed in the hands of W. P. Sprinkle, constable of said County, who returned the same with the endorsement thereon, to-wit:- "Not executed, no property found!" Your orator further represents that his said judgment was duly docketed and properly indexed in the Judgement Lien Docket, ~~provided for Justice's judgements in the~~ ~~the Clerk's office~~ in the Clerk's office of the County Court of Lee County, Virginia, on the 6th day of August 1894. *A copy of which Judgment docketing is heretofore marked "J"* Your orator will further represent that the said judgement ~~and~~ and costs, nor any part thereof, have as yet been paid, and the same remains wholly due your orator. Now, your orator would further represent unto your honor that at the time of the rendition and docketing of the judgement aforesaid, the Defendant, Hannah Harber, owned the following real estate, situate in said County, to-wit:- A certain tract of land of about twenty acres, lying about three miles West of Jonesville on the Chestnut Ridge, and described in a deed dated August 31, 1894, ~~xxx~~ from the said Hannah Harber to Milton B. Fleenor, as follows:- "It being all the land that the party of the first part obtained by decent from her Mother, Hannah Thompson, who obtained the same land by decent from her Father, ~~Hx~~ Henry Thompson, Sr.", The said Defendant also owned at the same time one other piece of land, supposed to contain six or seven ~~xxx~~ acres and adjoining the lands above described--for a more particular description of both of which tracts, reference is

here made to the said deed--- a copy of which is here filed as part hereof marked "D" Now, your orator is informed and alleges that his judgement aforesaid is a lien upon these lands, notwithstanding the said conveyance from the said Harber to the said Fleenor, and that he has a right to enforce the same against said land. Your orator will further represent and show unto your honor that on the 6th day of August 1894, he gave to the said Hannah Harber notice in writing that unless the said judgement was paid by the Third Monday in October, 1894, he would institute a suit in Chancery to enforce the lien of his judgement aforesaid, which notice is here filed as part hereof marked "N"

Now, the object of this suit is to enforce the lien of said judgement against said real estate, and subject the same to sale for the payment thereof; the rents and profits thereof being insufficient to pay the same ~~and another lien of which your orator has knowledge against said real estate within five years.~~ To this end he prays that the said Hannah Harber ~~and Henry Patrick, the other lien holder,~~ and the said M. B. Fleenor be made parties defendants to this bill and answer the same, but not on oath that being waived, and that on a hearing the said real estate be sold to satisfy the liens thereon, and for all other, further and general relief. May process issue, directed, etc. And your orator will ever pray, &c.

Chas. Fleenor, P. Q.

CLERK'S RECEIPT.

No. **58**

SUITS,

Plaintiff *William Goins*

Defendant *Hannah L. Harber*

Date *October the 15th 1894*

Amount of tax, - - - - \$ *1.50*

~~Common law~~

Chancery *Chcy*

Received (date) *October the 15th 1894*

A B Munsey Clerk.

VIRGINIA--LEE COUNTY, TO-WIT:

TO W. P. Sprinkle Constable of said County:

I HEREBY COMMAND YOU TO SUMMON Hannah T. Harber

If to be found in your District to appear at Jonesville in said county, on the
6th day of Aug 1894 before J. B. Mygal J.P. or such other Justice of the said County, as may be thereto
try this warrant, to answer complaint of William Goins

and upon a claim for money not exceeding \$100, exclusive of interest, to-wit: For the sum of \$9.55 due
by Account, and then and there make return of this warrant,

Given under my hand the 19th day of July 1894
H. C. Joslyn J. P.

William Goins
Against Hannah Harber } On the 6 day of August 1894
(In debt.)
At Jonesville in said County.

JUDGMENT, That the Plaintiff recover of the Defendant \$9.55, with interest thereon from the

6 day of August 1894, till paid, and \$3.43 for costs.
C. C. Blankenship J. P.

VIRGINIA--Lee County, To-wit: To W. P. Sprinkle Constable of said County.

I command you in the name of the Commonwealth of Virginia, that of the goods and chattles of.....

Hannah Harber
in your county, you cause to be made the sum of \$9.55 with
interest thereon from the 6 day of Aug 1894 till paid, which William
Goins has recovered before C. C. Blankenship in a
warrant in debt, and also the sum of \$3.43 which were adjudged to the said William
Goins for costs in prosecuting said warrant.

Given under my hand the 6 day of Aug 1894
C. C. Blankenship J. P.

Witnesses to
William Hall
Julia Hall
Ebos Helenor
Lettie Helenor

William Coins
vs. 3/4 Warrant
Hannah T. Harber

Executed this July 25th 1894

W. P. Sprinkle C. L. C.

not executed no
property found
Oct 6th 1894

W. P. Sprinkle C. L. C.

not for debt
Mild Helenor
John Helenor

James - 50
Eugene - 1.30
William Hall - 50
Charles Helenor
Juley Bonam

50
50
50

To Hannah T. Harber:

Take notice, That at the rules to be held for the Leicuit Court of the County
of Lee, on the 3rd Monday in October,
18 94, I shall institute a suit in Chancery, to enforce the lien of a judgment, the said judgment
being for Nine + 51/100 Dollars, with interest thereon at the
rate of six per centum per annum, from the 6 day of August, 18 94, till
paid, and the costs \$ 2.30, obtained against you and
by a judgment of C. C. Blaukenship, J.P. in & for Lee Co., Va.
on the 6 day of August, 18 94, if the same be not paid before that time.

August 6, 1894

William Givins,
By Mr. Blaukenship & Givins Counsel.

William S. Martin

Notice of Suit to enforce Lien of
a Judgment which does
not exceed \$20,
(exclusive of interest and costs).

v/s.

Hannah J. Harber

Virginia Lee County To-wit:

This day William S. Martin personally
appeared before me and made oath that
on the 6th day of August 1894. he
delivered to Hannah J. Harber a true
Copy of the within, and the same was
read to her in ~~my~~^{his} presence.
Given under my hand this 8th day of
August 1894. H. C. Foslyn J. P.

~~Mr~~ Goins 10. B & C.

vs Bill in Chancery.

Hannah T Harber et als.

Exhibits D. J. & N. filed.

1898: 1st Feby Rules bill filed
Spa 24 & on Hannah T
Harber & Decree nisi as to
her

" 2nd Feby Rules D & N confd as
to Hannah T Harber. & alias
Spa 24 on M. B. Flannery
H. D. N. C.

" 1st March Rules Taken the
last Monday in Feby and
D. Nisi Confirmed & Cause
set for hearing by Plff.

To the Honorable W. T. Miller Judge of the Circuit
Court of Lee County.

The separate answer of Hannah T. Barber one
of the defendants to a bill of complaint exhibited
against her in said honor court by Wm. Goins
Complainant, Your respondent now and at all
times hereafter, saving and reserving unto herself all
benefit and advantage of exception which can
or may be had or taken to the many errors
uncertainties and other imperfections in the said
Complainant's bill of complaint contained
answering said that it appears that
complainant has a judgment against your
respondent for \$9.51. and \$330, but your respondent
says that not one cent of said amount is due.
she says that said judgment was obtained by fraud
and collusion, it being a part of the costs
which Wm. Goins had to pay as costs in an
action at law in the county court in which
he was Plaintiff and M. B. Thomas was defendant
and your respondent says that she did not
undertake to pay any part of those costs, neither
in writing nor otherwise, she therefore emphatically
denies that one cent of said judgment is due and
owing by your respondent to complainant
your respondent denies that she owned
any real estate at the time said judgment
purports to be rendered and docketed. she says that

years ago that she had conveyed all the real
estate she had to M. B. Flemer, and that said
Flemer had his deed duly recorded - and
having answered as fully as she is advised
it is necessary for her to answer the fees
here to be dismissed with her reasonable
costs in this behalf expended and your
expenses well and may etc.

M. B. Flemer

The within Answer is excepted to in so far as it
 seeks to set up a defense against the judgment sought
 to be enforced, ^{because no sufficient or legal defense is set up} It does not allege that the defendant
 was not summoned and did not appear and make
 defense, and while it alleges fraud in a general
 way, it does not, as it should, specify the fraud,
 nor in what it consisted, nor when it was discovered,
 nor that it was such fraud as she could not and
 did not defend before the Justice.

Per 11th/1895-

Or. Blankenship & Ewing. for
 Plff.

Ver. 11th 7. Parker

2do { Answer of
 12 March Parker -

Wm. Parker

Filed in open Court
 and by leave thereof
 this the 11th day of March
 1895. A. B. Murray clk

To the Honorable M. T. Miller Judge of the
Circuit Court of Lee County,

The separate answer of M. B. Harmon
one of the Defendants to a bill of Complaint
exhibited in your Honors Court by
Jas. G. Harmon Complainant, Your respondent
for answer says that he knows nothing
of the Judgment described in Complainant's
said bill, But he denies emphatically that
his Co-Defendant Hannah T. Harber was the
owner, or seized and possessed of the lands
and real estate in the bill described, ^{at the time of said bill} Your
respondent says that Hannah T. Harber had
conveyed to him the two tracts in said bill
described 15 years ago by deed and that
those deeds have been duly recorded in
the County Courts Clerk's Office, and that
Jas. G. Harmon has been in possession
of said real estate ever since the date of
his said deeds. And having answered
as fully as your respondent is advised
is necessary, he prays leave to be dismissed
with his costs, &c. —

M. B. Harmon

Chas. H. H. H.
ad. H. H. H.
H. H. H.

Filed in open Court

and by leave thereof
this the 11th day of
March 1895.

A. B. Murray clk

William Goins

vs. } In Behalf of.
Thomas J. Horber et al.

This cause came on again this day to be heard upon the papers formerly read and the report of Special Commissioner E. W. R. Ewing, with which he filed ~~with~~ a deed to E. B. Spurrier, made pursuant to former decree, said report being unexcepted to, and said deed having been inspected by the court; and was argued by counsel; upon consideration whereof it is ordered adjudged and decreed that said report and deed be and are hereby confirmed; and said Spurrier is given leave to ~~withdraw~~ ~~with draw~~ said deed on payment to the clerk of \$2.50 for the benefit of said Commissioner. Nothing remaining to be done the cause is stricken from the docket.

W^m Goins

v.

H. J. Harber et al

Deem final.

Q.B. page 5 v.

2

Entered this

Nov. 15, 1895-

W. & G. Co.

TS. } In chancery.
Hornoh J. Horber et al.

This cause came on again this day to be heard upon the papers formerly read in the cause and the report of Special Commissioner E. W. R. Ewing, reporting the payment by E. B. Spurr of the purchase money and interest accrued thereon on bond by said buyer, in this cause sold, & being filed a sufficient length of time is excepted to, and was argued by counsel.

Upon consideration whereof, it is ordered, adjudged and decreed that E. W. R. Ewing, who is hereby appointed a special commissioner for the purpose make a deed of special warranty to said land, and report his action, together with said deed, to this court, and for the present this cause is continued.

Wm Goins

vs. Deane

Honorable J. Horbes et al

O. G. F. 314

Enter this

Nov. 15th, 1845

Wm Geins

against

Samah T. Barker et al. Deft

Plff

In Chancery

This cause came on again to be heard upon the papers formerly read in the Cause, and the report of E. W. R. Ewing, Commissioner, of the sale of the land in this cause, filed October 14th 1895; to which there are no exceptions, and was argued by counsel.

On consideration thereof, it is adjudged, ordered and decreed that said report and sale be and are hereby confirmed, and that the said Commissioner pay out to those entitled the costs in his hands; and that he collect the unpaid purchase money when due, or when the purchaser may desire to pay the same, and pay it over to the Plaintiff, and when he has done so he will convey to the purchaser the interest in the land purchased by him from said Commissioner, by deed with covenants of special warranty, and report his action to the next term of this Court. And the Cause is continued.

~~The~~ Gains
vs { Decree
of
Hannah & Harriet et al.
O.B.P. 273,

Enter this decree.

100 12th 1895-

Thm Gains
against

Plff } In Chancery.

Hannah L. Warner & M. B. Keenor. Defts

This cause came on again to be heard upon the papers formerly read in the cause, and the report of C. H. Jones, Special Commr. filed in the Cause June 8th 1895, and exceptions endorsed on said report by the plaintiff, and was argued by Counsel. On consideration thereof, and the parties waiving the right to except to the hearing of the Cause upon said report an account of the same not having been filed the time required by law, It is adjudged, ordered and decreed that the exceptions to that part of said report that fails to report the ~~life~~ interest of the defendant, Hannah L. Warner, in the land in ~~the~~ ~~bill~~ and deed of April 15th 1878, liable to be subjected to the payment of the plaintiff's judgment and costs of this suit, be and are hereby sustained, and the said exceptions are in all other respects overruled. And it is further adjudged, ordered and decreed that unless the said judgment and the costs of this suit are paid within 30 days from the adjournment of this Court, then E. W. R. Ewing, who is appointed a Commissioner for the purpose, will proceed to sell the ~~life~~ interest of the defendant Hannah L. Warner, ^{secured by her} in the land.

in said deed mentioned, and out of the proceeds of said sale pay to the said Judgment and the costs of this suit and the expense of said sale and the residue if any to said defendant.

Said Commissioner before selling will advertise the time, terms and place of sale, by written advertisements posted at the front door of the Court house of this County and in the vicinity of said land, for at least 30 days, and will make said sale at the front door of the Court house of this County, on some Court day, to the highest bidder, and on a credit of one & two years time, except the costs of suit and expense of sale, which he will require to be paid in hand, and for the deferred payments he will require bonds with security, to himself as Commissioner, bearing interest from date.

Said Commissioner before selling will execute bond, in the sum of \$1000, with security, before the Clerk of this Court, conditioned according to law, and will report his action hereunder, to this Court, and the Cause is Continued Court being of opinion that the Judgment reported by said Court Jones in favor of Henry W Patrick is not a lien on the said life interest of said defendant, the same is disallowed as such. And the Cause is Continued.

~~1/2~~ Gainco
vs $\frac{1}{2}$ Deereel
Hamah Barber et al

Entered in Chancery
Order Book
Page 219
Enter this decree.

W. J. L.
June 11th 1895.

Virginia: In the Circuit Court of Lee County,

Wm Goins

vs

} In Chancery

Hannah Harder and M.B. Flunor

The deposition of M. B. Flunor taken before me, A. B. Munsey, a Commissioner in Chancery in and for the Circuit Court for Lee County, pursuant to agreement, to be read as evidence in behalf of the defendants, and to be read as evidence in behalf of the defendants in the above styled cause in the determination of the questions referred to C. H. Jones as Special Commissioner.

Present: Wm A. Orr Atty Gen Spts and

J W. Orr, of Counsel for Plff

M. B. Flunor, a witness of lawful age, being first duly sworn, deposes and says:

1 Ques

What is your age, and are you a defendant to this suit?

Ans

Thirty four years, I am ^{one of} the defendants to this suit.

2nd Ques

Do you claim title to the land described in the complainant's bill?

Ans

I do.

How do you claim title

Ans

I claim it by deed from Hannah Harder, Sarah Hanson and Anna Thompson, dated April 15th 1878. A copy of which deed, I herewith filed as part of this my deposition marked "A".

3 Question Who has been in possession of said land since the date of said deed so made to you?

Ans I have been in control of it myself.

4th Question Who has paid the taxes thereon since the date of said deed?

Ans I have, and here file the tickets with this my deposition, numbered from 1 to 12 inclusive. So far as I can now find them.

The foregoing questions and answers ^{directs} are excepted to in so far as they are intended to, and in any manner do, effect the deed exhibited with plaintiffs bill marked "D", and which is dated August 31st 1894, and acknowledged Sept 1st 1894. The defendants are etched to deny the recitations of said deed and that the grantor had title at that time to the land in said deed conveyed to the defendant Milton B. Gleason, this witness.

Or. Blankenship & Co. for

5th Question Is the land mentioned in the plaintiffs ^{bill} bill and the exhibits "D" filed therewith the same land that is described in exhibit "F" filed with this deposition?

Ans It is.

6th Question Have you supported Hannah J. Harber

to this date?

Ans I have.

+ Examined.

Ques. 1. Who did the land you claim originally belong to?
Ans It originally belonged to Henry Thompson, Sr., and his son Isaac Thompson, jointly. Isaac Thompson, when he left this country sold out his half to Henry Thompson, Jr. When Henry Thompson, Sr., died he left as his heirs as I remember them Mary Thompson, Henry Thompson, Jr., Isaac Thompson, Annie Thompson, Hannah Thompson who married Elias Harber and who was the mother of the defendants Hannah T. Harber, Jane, who married John Miles, and I think there was one named John Thompson, Sarah Thompson. ^{as he said} Hannah Thompson died before the said Henry Thompson, Sr., and before Henry Thompson, Jr., died. The tract originally contained about 196 acres. Henry Thompson, Jr., died several years after Henry Thompson, Sr., and his interest in said tract of land descended to his brothers and sisters and their descendants.

And further this witness saith not.

M. B. Flann

Virginia Lee County to wit:

I A.B. Munsey a Court in Chancery for
the Circuit Court of Lee County Virginia
do certify that the foregoing deposition
of M. B. Fleenor was this day taken and
Subscribed and sworn to before me in
the Clerks office of the Circuit Court of
Lee County Virginia pursuant to the
agreement and for the purposes mentioned
in the Caption. Given under my hand
this the 27th day of March 1895-

A.B. Munsey Court in
Chancery

M. B. Fleenor et al
ad. Depositions

Wm. H. Hain

Taken before me as
Court in Chancery and
filed this the 27th day
of March 1895

A.B. Munsey
Clerk

Thos Jones

Plaintiff

against

Hannah T Harber & M. B. Fleener Defendants

} In Chancery.

This cause came on to be heard upon the bill of the plaintiff and exhibits therewith, the separate answers of the defendants, and the exceptions ^{by plaintiff} to the answer of the defendant Hannah T Harber endorsed thereon, and was argued by counsel. On consideration thereof it is adjudged, ordered and decreed that said exceptions to said answer be and are hereby sustained, and so much of said answer as is thus excepted to is stricken out, and thereupon the plaintiff replied to ^{after so much as aforesaid was stricken out.} said answers, and it is further adjudged, ordered and decreed that the plaintiff recover against the defendant Hannah T Harber the sum of \$12.85 - the amount of the judgment in the bill mentioned, with interest on \$9.55 - part thereof from the 6th day of August 1894 until paid, and the costs of this suit, and that C. H. Jones who is appointed a commissioner for the purpose do take an account of the liens against said Hannah T Harber and report, and report their amounts and who in favor of, and their priorities, if any, and what real estate ^{or interest in real estate} the said defendant owns that may be subjected to said liens, where situated, and its rental value. He will report his action hereunder to the next term of the Court, together with any matters deemed

Wm Gains

vs Decree to 1.

Hannah L. Warner et al

O.B.

Page, 86

Enter this decree.

Dec 14th 1898.

heretofore by himself, or required by any of the parties in interest, and will, before proceeding, give the parties due notice at the time and place of his sitting, and the cause is continued.

~~From~~ Jones

vs

In Chy

Hannah F. Harbor ^{vs} M. B. Flenor

Pursuant to a decree entered in this cause by the Circuit Court of Lee County on the 15, day of March, 1895, I will sit in the office of Orr. Blanchenship Tewing, Jonesville, Va, on the 26 day of Apr 1895 for the purpose of taking an account of the liens against Hannah F. Harbor, their amounts and priorities; what real estate, or interest in real estate, is owned by the defendant, that may be subjected by said liens, where situated and its rental value. Also any other matter demanded for time of day myself or required by any party in interest.

This Apr. 15, 1895-

C. H. Jones
Special Commr.

This deed made and entered
into on this the 15th day of April
1878, between Anna Thompson,
Sarah Thompson and Hannah
D. Harber, of the one part, and
Milton B. Fleemon of the other part,
all of Lee County Virginia, Messrs
et al. That for and in consideration
and he said, Milton B. Fleemon
has lived with and worked for
the parties of the first part, and
will continue to live with and
take care of them during their
natural lives, they the parties of
the first part, do hereby give, grant,
bargain sell and convey to the said
Milton B. Fleemon all their right
title and interest in and to
a certain tract or parcel of and lying
and being out the sugar run
road about one half a mile north
west of the Camp Ground in Lee
County Virginia, it being the same
tract or parcel of land formerly
owned by George Thompson Sr
decd. and Henry Thompson & co
and carrying title and interest
hereby conveyed; being also interest

as heirs of Henry Thompson Sr.
decd, and as heirs of Henry Thompson
Sr decd in the said deed, and
but the parties of the 1st part hereby
reserves the right to the possession
and control of the interest hereby
conveyed during their natural
lives, and they also hold the said
land hereby conveyed bound for
their support and maintenance
so long as they may live, and they
hereby reserve and retain a lien
on said land for this purpose.
Witness the following signatures &
seals.

Witness

David Miller

Alex P. Hinn

John B. Flemon

Anna ^{her} Thompson ^{mark} Seal

Sarah ^{her} Thompson ^{mark} Seal

Hannah ^{her} ^{mark} Seal

Virginia, Lee County Court Clerk's Office,
April 16th, 1878.

The foregoing Deed from Anna
Thompson, Sarah Thompson & Hannah
P. Harvey, of the 1st part, to Milton B
Flemon of the other part, of Lee
County Virginia, was this day proved
by the oath of David Miller & John

A. Plessner, who made oath that
the said deed was accomplished
by or for him in the said parties of
the first part to return as an agent
for the purposes herein mentioned,
and is therefore admitted to record.
Teste: James P. [unclear]

A. Perry & Co., S. W. F. Richmond
ccvix

Annals of the
To } To
Deed } Milton B. Flann

Recorded in Deed
Book No. 18.

Page 458.

C. 50

"7" filed
with M. B. Flann's
disposition

Agreement of Compromise made
and entered into this the 24th day
of April 1894, between Hannah
G. Horber plaintiff and
Milton B. Flemer Defendant
in the Chancery cause now
pending in the Circuit Court
for Lee County Virginia, in
which the said Hannah G.
Horber is complainant and
the said Milton B. Flemer
is defendant:

The said Milton B. Flemer
is to pay the costs of this suit,
including an attorney's fee
of thirty dollars, and is to pay
and furnish to the said Hannah
G. Horber, the sum of fifty
dollars each year from the
first day of January 1894. for
and during her natural life.

To be paid as follows:

Ten dollars in cash, twenty five
bushels of corn, ^{at fifty cents per bushel} five bushels
of wheat, one hundred pounds
of bacon or pork, all at the
Garrison's market price,
and the residue of said fifty
dollars, to be paid in sugar

coffee, and such other articles
as she may need in the
store, the same to be a
lien on the tract of land
in the bill and proceedings
mentioned in said cause,
And it is further provided
that if the said Milton B.
Flemor shall fail to furnish
the support and maintenance
as herein provided for, then
in that event said land is
to be partitioned, and one
third thereof laid off and
assigned to the said plaintiff
including the dwelling house
where the said Flemor now
lives, Commissioners for
this purpose to be appointed
by the Circuit Court for
the County of Virginia, after
thirty-days notice to said
Flemor, his executors, administra-
tors or heirs.

And it is further agreed that for
and during the time said Flemor was away
from ~~the premises~~ ^{as to support and maintenance for the} premises is a matter
of settlement between said Flemor and
Henry Patrick, and said Hannah J. Horner
is released from any liability therefor

The payments above referred to
for support and maintenance
for the said Hannah G. Horner
are to be made quarterly
~~from May the 1st 1894~~ the
past as some of the time has
already passed, it is agreed
that the first payment shall
be made on or by June 1st 1894.
and the other quarterly payments
for the said year in equal times
thereof, until the expiration
of the present year.

It is further agreed that
this settlement shall be
reported by A. M. Gavis Court,
and fully consummated by a
decree to be entered in said
cause at the next term of
said Court.

Witness our hands and seals this the
day and date first above written

Witness.
B. H. Lively.

Hannah L. Horner (Seal)
J. B. Lively (Seal)

Hamah J. Horber.
vs { Agreement of
Compromise
M. B. F. Deacon.

of

This deed made and entered into this 31st day of August 1894, by and between Hannah T. Hearner of the first part, and Milton B. Fleener of the second part both of Lee County, State of Virginia.

Witnesseth, That the party of the first part does by these presents, grant bargain, sell and convey to the party of the second part, with Covenants of General Warranty the following real Estate, lying in Lee County Va. about three miles west of Jannsville. On the Chestnut ridge, it being all the land that the party of the first part obtained by descent from her mother Hannah Thompson who obtained the same land by descent from her father Henry Thompson Sr. supposed to be twenty acres be the same more or less, also another piece of land supposed to contain 6 or 7 acres, be the same more or less, adjoining the above described land, which the party of the first part got by descent from her uncle Henry Thompson Jr. The party of the first part also gives, grant, and conveys to the party of the second part all the estate that she may have at the time of her death of every description, real personal and mixed, where so ever situated and located. The Consideration of this conveyance is that the party of the second part shall give the party of the first part, a good, decent, and comfortable support while living, and a decent burial at death. But it is distinctly agreed and understood that in the event the party of the second part at any time fail to support the party of the first part that the party of the

first part shall have the possession of said land
and property and shall have all the rents and
profits. While the said party of the second part
shall so fail to support the party of the first part,
But in any event, at the death of the party of
the first part the property hereby described
mentioned and conveyed shall be the property of
the party of the second part, and the party of the
first part hereby releases to the party of the second
part a decree obtained by her at the last
term of the Circuit Court of Lee County, Virginia,
in the chancery cause styled Hannah T. Harber
against Milton B. Fleener. Given under my hand
and seal this the day and date first above written.
Hannah T. ^{her} Harber ^{man} Seal

Witness

Wm. H. Orr.

Virginia Lee County to wit:
I, Henry C. Joseyn a Justice of the
Peace for the County aforesaid, in the State of
Virginia, do certify that Hannah T. Harber
whose name is signed to the above writing bearing
date on the 31st day of August 1894, was acknowledged
the same before me in my County aforesaid,
Given under my hand this 1st day of September
1894

Henry C. Joseyn JP
Virginia Lee County to wit:
In the office of the Clerk of said County, the 10th
day of September 1894, this deed was presented
and together with the certificate thereto annexed

Admitted to Record

Teste: J. V. F. Richmond Clerk

A copy-

Teste: J. V. F. Richmond Clerk

Mr. B. Fleenor
From copy Deed

Hannah T. Hearlens
Deed Book No 30
Page 423.

Clark Geo. Co. etc

W.m. Goins,

VS.

In lly.

Hannah T. Harber et al.

The deposition of John H. Fleenor taken before me C. H. Jones Special

Com, r. in the above styled cause, to be read as evidence by me in determining the questions submitted to me as Com, r. in a decree of the Lee circuit Court at its MARCH Term 1895. TAKEN pursuant to the attached notice at the office of Orr, Blankenship and Ewing, Jonesville, Va. April 26th, 1895.

Present: E. W. R. EWING for Pl, ff. and W. A. Orr for Defendants.

Ques. 1. ARE YOU ACQUAINTED WITH THE LANDS CONVEYED TO M. B. FLEENOR BY HANNAH T. HARBER, BY DEED BEARING DATE Aug. 31st 1894?

Excepted to by because irrelative and immaterial, as the question does not connect itsself with the first deed, dated Apr. 15th 1878.

Wm a. Orr atty.

I am.

Ques. 2. Please give your estimate of the fair cash rental value of this land per year? suposing there to be about 20 acres?

Ans. 2.

Ans. 2. I do not consider its cash rental per year worth anything. in its present condition.

Ques. 3. Suppose there should be some 26 or 27 acres of the average quality of this Thompson land layed off in a boundary to itsself what

would you then consider would be the fair cash rental value per year of such land?

The foregoing question is excepted to, being irrelavent and immaterial: the Defendant, Hannah T. Harber having nothing but a support which is a charge on said land: and the same not being in the nature of a life estate.

Wm a. Orr atty.

Ans. 3. I think it would be worth \$8 or Ten dollars per year.

Ques. 4. Supposing that Hannah T. Harber owned a life estate in this last mentioned piece of land, would you ~~be~~ consider the fair cash rental, per year the same?

Ans. 4. Yes I believe I would.

Cross Examination by W. A. Orr, Atty. for Defendants.

Ques. 5. Does the agreement marked J" and filed with this question pertain to the deed mentioned by you in this deposition and bearing date Apr. 15th 1878?

Ans. The above question is excepted to because no part of a cross-examination.

Ans. 5. Yes. I suppose it does.

And farther this deponent saith not.

VIRGINIA, Lee County To-wit: *John H. Fleenor*

I C.H. Jones, Commissioner in the above styled cause certify that the foregoing deposition of John H. Fleenor was taken, subscribed and sworn to, before me at the time and place, and for the purpose mentioned in the caption. Given under my hand as Commissioner, Apr. 26th, 1895.

C. H. Jones.
Special Comr.

Wm Goins.

vs { Depositions

{ before Court.

Harriet J. Harbes et al

Witness attendance

\$50

M. B. Fluor et al

vs { Brief in Chy for
learned J. Jones

Wm Jones

The deed of Apr 15th 1878
passed the legal title and there is
no evidence that the legal title ever
again vested in Hannah T. Harlow.
The last deed did not and could
not convey any legal title for this
reason that there was none in
her she having parted with it.
The object of the last deed was to
settle the matters mentioned in
exhibit "I" filed with John Fluor's
deed. There is no evidence
that she has any title whatever
to said land or that she
had any at the date of the
judgment.

Wm A. Orr } atty
C. J. Duncan } p

Mr. B. F. Fennell

and Brief

was given

1/2 ~~page~~ ^{page} ~~Goins~~

vs.

Hornok T. Horber. } Comptiffs Brief -

Under the deed of 1878 we are entitled to subject the life estate therein retained to Hornok T. Horber. But these deeds, as shown on their face, do not convey the same land, as evidenced by their recitals. Our line attached before the date of the last deed (1894), & the land in this last deed is superior to ours.

But granting that the land conveyed in each is one with some tract, Hornok T. Horber & all claiming under, are estopped to deny that said Horber had title to the land conveyed by last deed.

2 precedent § 305,

Hutchinsons Land Titles, p. 372, § 498 last pt.

Therefore we are entitled to subject the land in the last deed conveyed, to our judgment line attached prior to its execution (see drawing).

Wm. G. Jones

rs,

N. J. Horner,

Comp. W. H. B. -

2

Wm Goins vs. Hannah J. Harber

Judgment by Justice Peace

Aug 6, 1894

9 57

Inst from Aug. 6/94 to June 2, 1895

45

Inst & principal

9 96

Costs

3 55

Total

13 57

Henry M. Patmeh vs. Hannah J. Harber

Judgment by Justice Peace

Sept. 8th 1894

21 13

Inst from Sept. 8/94 to June 2/95

94

" & principal

22 07

Costs

1 25

Total

33 32

To the Hon. W. T. Miller, Judge of the Cic. Court Lee count :

In the case of William Goins

vs.

Hannah T. Harber,

Your undersigned special commissioner begs to report that pursuant to a decree rendered in this case by your Honorable court on the 11th day of June, 1895, he proceed to advertise the interest owned in the lands in the proceedings mentioned by the said defendant, Harber (a copy of which advertisement is herewith filed as part hereof) made A. Pursuant to the said advertisement on the day of that being court day, at the front door of the court house of the said county, he exposed the said land for sale and E. B. Spurrior being the highest and best bidder, the same was knocked down to him for the sum \$47.01 which was the costs, commissions of sale and the amount of the debt. After deducting the costs of \$34.60, most of which was arranged directly with the officers to whom going by the said Spurrior, they accepting his note in lieu of cash, the remainder was divided into two pays of one and two years with interest from that date and the said E. B. Spurrior executed to your commissioner as such his bonds for the same in the sum of \$6.86 each, with S. S. Spurrior as security, which is unquestionable good security.

Your commissioner would therefore recommend that he be directed to make the said E. B. Spurrior a deed to the said interest and filed with his report thereof for the inspection and deliver of this court.

All of which is respectfully submitted.

This Oct. 14, 1895.

E. M. R. Ewing,
Sp. Comm.

William Goins
v. { Rept. of Sale.

Hannah T. Horber.

Filed October 14th 1894

For A. B. Mearns
Co. Clk.

Wm Gorins

vs.

Honorable J. Horner et al.

Hon. W. J. Miller, Judge Lin Co. Cir. Co.:

Your undersigned, Sp. Comm., begs
to report that pursuant to a decree
heretofore entered in this cause, he
has made & here with files for the
inspection of the court, a deed
to E. B. Spurr, the purchaser of
the land sold in this cause.

Respectfully submitted,

E. W. R. Ewing,
Sp. Comm.

Wm Goins
vs. Rept of decd
Hannah J. Horner
et al

Filed Nov 18th
1895
A B Munsey
Clerk



Mr. *Hilton*

1881 To **Z. T. CECIL** Treasurer of **LEE** County, Dr.

	STATE TAX, 50 cents on the \$100.	County Levy, 30 cents on the \$100.	County School Tax 10 cents on \$100.	District School Tax 10 cents on \$100.	TOTAL AMOUNT OF TAXES.
To <i>13 1/2</i> Acres of Land, Value, \$	65	42	14	14	135
Property, Income, etc., \$					
Capitation Tax,					
County School Tax,					
District School Tax,					
Total	65	42	14	14	135

Received Payment in full,

Treasurer.

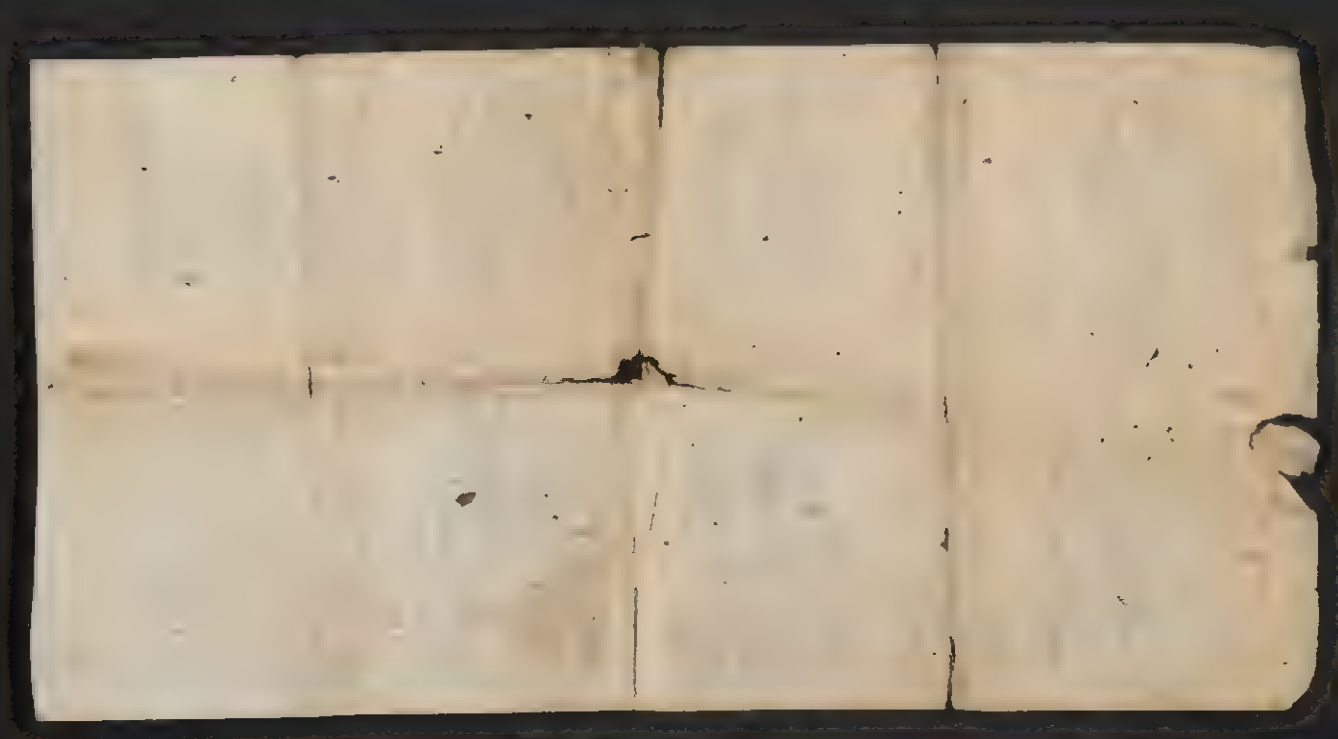


Mr. Wm. T. Cecil
1882 To Z. T. Cecil, Treasurer of Lee County, Dr.

	STATE TAX, 40 cents on the \$100.	County Levy, 30 cents on the \$100.	County School Tax 10 cents on \$100.	District School Tax 3 cents on \$100.	TOTAL AMOUNT OF TAXES.
To Acres of Land, Value, \$100					1/10
Property, Income, etc., \$100					2/10
Capitation Tax, \$100					5/10
County School Tax, \$100					1/10
District School Tax, \$100					1/10
Total					2/10

Received Payment in full,

Wm. T. Cecil
Treasurer.





Mr. *Wilton B. Fleener*

1883 To M. B. WYCAL, Treasurer of

LEE

County, Dr.

3 Tracts

	STATE TAX, 40 cents on the \$100.	County Levy, 25 cents on the \$100.	County School Tax 10 cents on \$100.	District School Tax 10 cents on \$100.	TOTAL AMOUNT OF TAXES.
To 7 1/2 Acres of Land, Value, \$131	53	32	14	14	113
Property, Income, etc., \$49	18	11			29
Capitation Tax,.....	1.00	50			1.50
County School Tax,			5		5
District School Tax,				4	4
Total	178	93	19	18	307

Received Payment in full, *1.00*

3/4
Treasurer

Mr. *Wm B. Wiggall*District No. *2*

1884. To M. B. WYGALL, Treasurer of LEE County, Dr.

	State Tax, 30 cents on the \$100.	State School Tax, 10 cts. on the \$100.	County Levy 25 cts. on the \$100.	Co. School 10 cts. on the \$100.	Dist. School Tax 10 cents on \$100.	TOTAL AMOUNT OF TAXES.
To <i>74</i> Acr's Land value <i>131.00</i>	<i>40</i>	<i>14</i>	<i>37</i>	<i>14</i>	<i>14</i>	<i>114</i>
Property, Income, etc... <i>1.00</i>	<i>48</i>	<i>14</i>	<i>10</i>	<i>16</i>	<i>16</i>	<i>138</i>
Capitation Tax.....	<i>1.50</i>		<i>50</i>			<i>150</i>
State School Tax.....						
County School Tax.....						
District School Tax.....						
Total	<i>148</i>	<i>30</i>	<i>121</i>	<i>20</i>	<i>30</i>	<i>400</i>

The Progressive Age Job Office, Estillville, Seckt County, Va.

1867
1868
1869

7

1885.

District No. 2

To M. B. WYGAL, Treasurer of Lee County,

Dr.

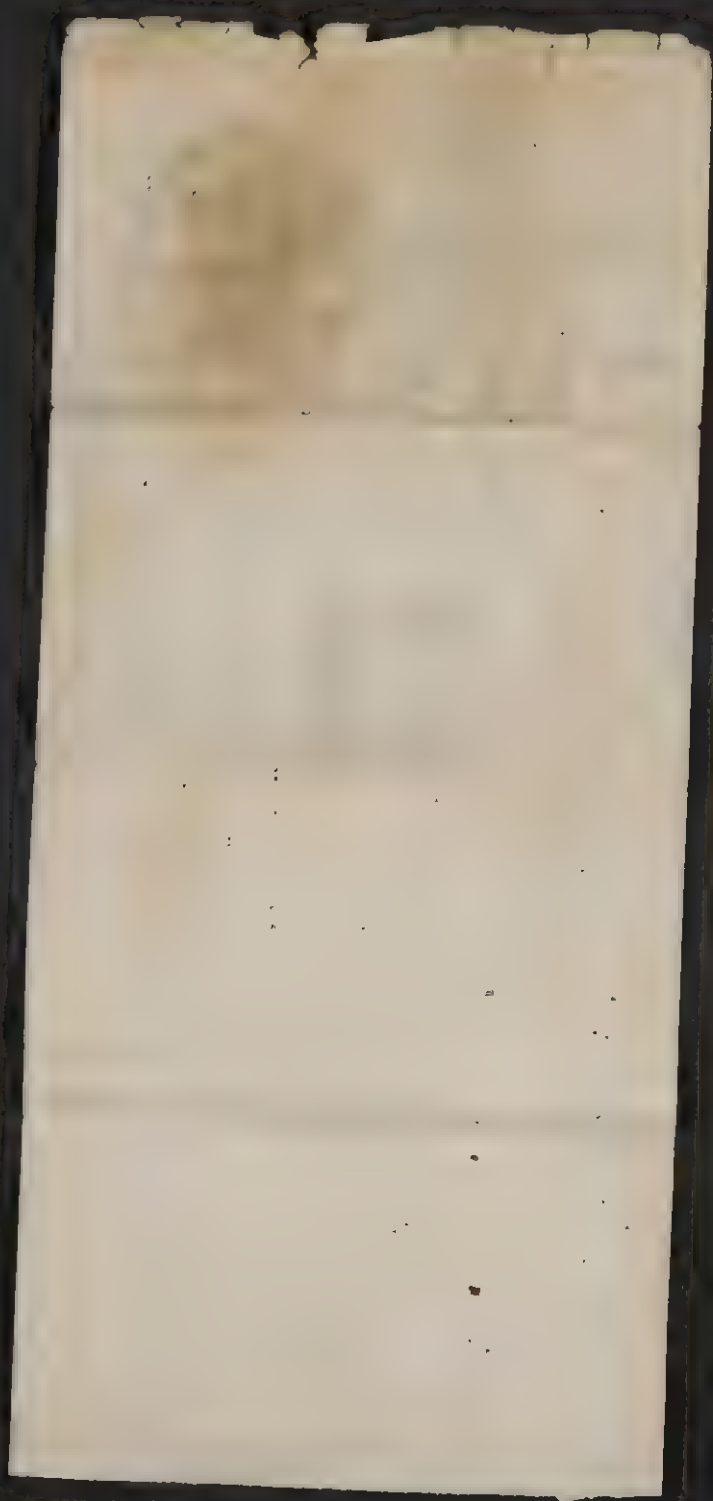
State Tax, 30 cts. on the \$100.	County Levy, 25 cts. on the \$100.	State School Tax, 10 cts. on the \$100.	County School Tax, 10 cts. on the \$100.	Dis't. School Tax, 10 cts. on the \$100.	Total Amt. of Taxes.
--	--	---	--	--	-------------------------

TRACTS.

To 2 acres land value					20
Property, income, etc.	140	140	40	50	370
Capitation Tax,	2	15			17
State School Tax,					
County School Tax,					
District School Tax,					
Total,	142	155	40	50	387

RECEIVED PAYMENT.

COUNTY TREASURER



Mr. *Wm. H. Lee*
 1887. To J. P. Graham, Treasurer of

District No. *1*
 Lee County, Dr.

TRACTS.	State Tax, 30 cents on \$100.	County Tax, 10 cents on \$100.	County School Tax, 10 cents on \$100.	District School Tax, 10 cents on \$100.	State School Tax, 10 cents on \$100.	TOTAL AMOUNT OF TAXES.
To <i>76</i> acres land, value, \$ <i>114</i>						<i>46</i>
Property, income, etc. <i>230</i>	<i>69</i>	<i>10</i>				
Capitation Tax, <i>1</i>	<i>1</i>	<i>04</i>				
County School Tax, <i>23</i>						
District School Tax, <i>23</i>						
State School Tax, <i>23</i>						
Total, <i>46</i>						

46
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46
7

Received Payment in full, *John S. Graham* Treasurer.

783
288-
171
171
171
171

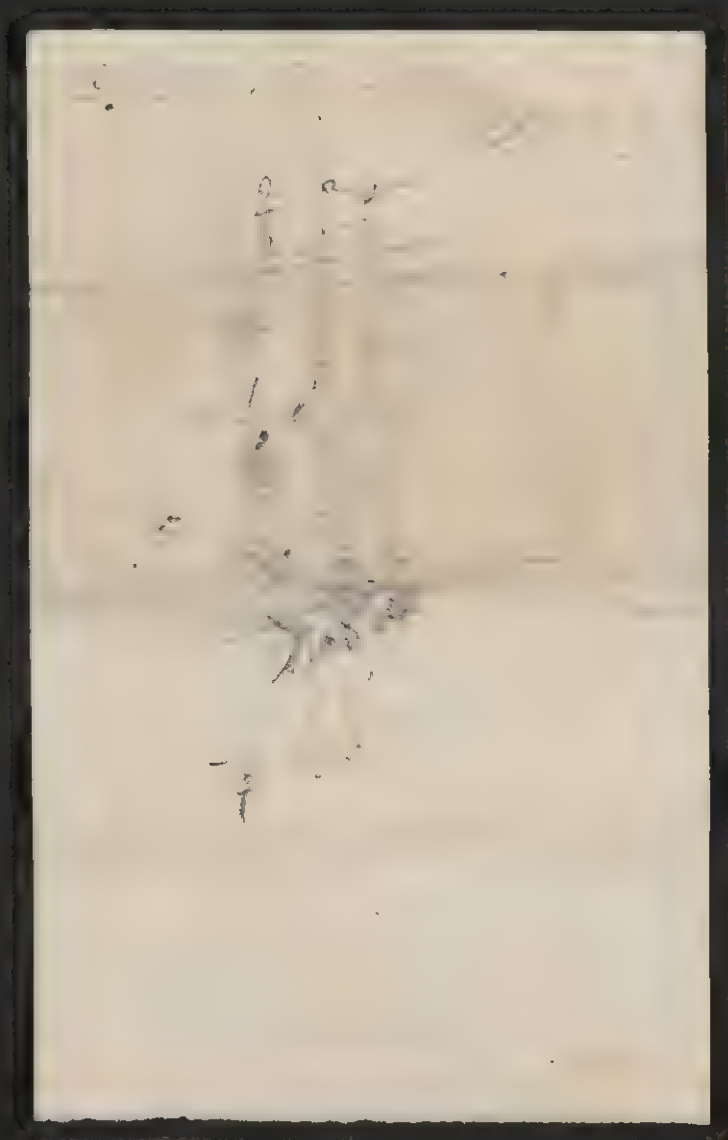
Mr. Treasurer Milton B. District No. 2
 1888 To J P Graham. Treasurer of Lee County, Dr.

<u>TRACTS.</u>	State Tax, 30 cents on \$100.	County Levy, 41 cents on \$100.	County School Tax, 10 cents on \$100.	District School Tax, cents on \$100.	State School Tax, 10 cents on \$100.	Road Tax.	TOTAL AMOUNT OF TAXES.
To <u>76</u> acres land, value, <u>228</u>	<u>68</u>	<u>1 14</u>	<u>23</u>	<u>23</u>	<u>22</u>	<u>34</u>	<u>2 86</u>
Property, income, etc. <u>250</u>	<u>75</u>	<u>1 75</u>					<u>2 50</u>
Capitation Tax, <u>1</u>	<u>1 00</u>						<u>1 00</u>
County School Tax, . .			<u>21</u>				<u>21</u>
District School Tax, . .				<u>20</u>			<u>20</u>
State School Tax, . . .					<u>20</u>		<u>20</u>
Total,						<u>38</u>	<u>38</u>

Received Payment in full

J. P. Graham
Treasurer

\$7.48
Treasurer



MR.

1889.

TO

J. P. GRAHAM, TREASURER OF LEE COUNTY, VA.

DR.

District No.

TRACTS.

State Tax
30 cents on
the \$100.State School
Tax, 10 cents
on the \$100.Co. School
Tax, 10 cents
on the \$100.Dist. School
tax 10 cents
on the \$100.Road Tax,
15 cents on
the \$100.County Levy
40 cents on
the \$100.TOTAL
AMOUNT OF
TAXES.

To 76 acres land, val. \$400

Property, income, etc.

Capitation Tax . . .

County School Tax, .

District School Tax, .

State School Tax, . .

Total, . . .

Received Payment in full,

J. B. Graham, Jr. Treasurer.

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MR. *Friend*District No. *1*

1891.

TO J. P. GRAHAM, TREASURER OF LEE COUNTY, VA. DR.

TRACTS.	State Tax 30 cents on the \$100.	State School Tax, 10 cents on the \$100.	Co. School Tax, 10 cents on the \$100.	Dist. School Tax, 10 cents on the \$100.	Road Tax, 15 cents on the \$100.	County Levy 20 cents on the \$100.	TOTAL AMOUNT OF TAXES.
To <i>6.5</i> acres land, val. <i>\$21.4</i>	<i>61</i>	<i>20</i>	<i>20</i>	<i>20</i>	<i>30</i>	<i>61</i>	<i>2.02</i>
Property, income, etc. <i>150</i>	<i>45</i>				<i>22</i>	<i>88</i>	<i>1.55</i>
Capitation Tax, <i>1</i>	<i>1.00</i>						<i>1.00</i>
County School Tax, .		<i>15</i>					<i>15</i>
District School Tax, .			<i>15</i>				<i>15</i>
State School Tax, .				<i>15</i>			<i>15</i>
Total, . . .							<i>5.02</i>

Oct 1 - 70 - 90
In the morning

573
574
575
576
577

MR. *Almon Milton B.*

1892

TO J. P. GRAHAM, TREAS

District No. *2*

COUNTY, VA.

DR.

TRACTS.	State Tax 30 cents on the \$100.	State School Tax, 10 cents on the \$100.	Co. School Tax, 10 cents on the \$100.	County Levy 3 cents on the \$100.	TOTAL AMOUNT OF TAXES.
To <i>68</i> acres land, val. <i>204</i>	<i>63</i>	<i>21</i>	<i>21</i>	<i>51</i>	<i>2 08</i>
Property, income, etc. <i>2.5</i>	<i>45</i>				<i>60</i>
Capitation Tax, . . . <i>1</i>	<i>00</i>				<i>1 00</i>
County School Tax, . . .		<i>21</i>			<i>21</i>
District School Tax, . . .			<i>21</i>		<i>21</i>
State School Tax, . . .				<i>21</i>	<i>21</i>
Total, . . .				<i>1 00</i>	<i>5 50</i>

Received Payment in full,

Treasurer:

74

5 20

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MR. *Frederick M. Miltner*

1891.

District No. *2*

TO

J. P. GRAHAM, TREASURER OF LEE COUNTY, VA.

DR.

TRACTS.	State Tax 30 cents on the \$100.	State School Tax, 10 cents on the \$100.	Co. School Tax, 10 cents on the \$100.	Dist. School Tax, 10 cents on the \$100.	Road Tax, 15 cents on the \$100.	County Levy 40 cents on the \$100.	TOTAL AMOUNT OF TAXES.
To <i>68</i> acres land, val. <i>204</i>	<i>62</i>	<i>21</i>	<i>21</i>	<i>21</i>	<i>30</i>	<i>51</i>	<i>206</i>
Property, income, etc. <i>110</i>	<i>33</i>						<i>83</i>
Capitation Tax, . . . <i>1</i>	<i>100</i>	<i>11</i>					
County School Tax, . . .			<i>11</i>				
District School Tax, . . . <i>2</i>				<i>21</i>	<i>6</i>		<i>27</i>
State School Tax, . . .						<i>45</i>	<i>85</i>
Total, . . .							<i>466</i>
							<i>24</i>

ORR, BLANKENSHIP & EWING,
ATTORNEYS-AT-LAW,
JONESVILLE, VIRGINIA.

Wm. Poind
vs } Dr Chy

Hammitt Harless et al

Filed with M. B.
Hamon's Deed.

5.88-

S. 1.55

W. 5.77

C. 12.77

W. 5.77

W. 2.55
Cam

5.77
5.77

32.5-

5.77
5.77

100

100

100

100

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

WE ^vCOMMAND YOU, That you summon *Hannah T. Harber*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the *1st* Monday in *February*, 189*5*, to answer a bill in Chancery, exhibited against *her* in our said court by *William Goins*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

10th day of *January*, 189*5*, and in the 11*9th* year of the Commonwealth.

A. B. Munsey Clerk.

1
William Goins

vs. { SUPCENA
IN CHANCERY.

Hannah T. Hauber

O. B. & C. Ewing p. q.

To 1st February Rules,
Circuit Court.

Executed Jan the 28. 85
by delivering an office
copy of the within
summons to Hannah T. Hauber
C. C. Flanagan, S. G. C.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

WE COMMAND YOU, That you summon

Hannah T. Harber & M.B. Fleenor

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the *3rd* Monday in *February*, 189*5*, to answer a bill in Chancery, exhibited against *them* in our said court by *William Goins*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the *5th* day of *February*, 189*5*, and in the 11*9th* year of the

Commonwealth.

A.B. Munsey Clerk.

Copy for
M. B. Fleenor

Wm Goins

vs. { SUPRENA
IN CHANCERY.

Hannah L. Harber

Or. B + Ewing. p. q.

To 2nd Feby Rules,
Circuit Court.

Executed Feb the 11. 1885
by delivering an office
copy of the within return
to wife of M. B. Fleenor at
the dwelling house of the
said M. B. Fleenor and
explaining to her its contents
she being a member of the
family of M. B. Fleenor and
over the age of sixteen years
M. B. Fleenor being absent
from his usual place of
abode Feb 11. 85
G. C. Flanagan. J. L. G.

William Gorins
W } Bill in Chey
Hannah L Harber